

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

J.L., a minor by and through his guardian
and next friend, S.L.

Plaintiff

v.

PENNSYLVANIA DEPARTMENT OF
EDUCATION, et al.

Defendant

: CIVIL ACTION NO. 1:CV-01-328

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(Judge Kane)

FILED
HARRISBURG, PA

OCT 30 2001

MARY E. SANDREA, CLERK
Per
Deputy Clerk

ORDER

IT IS HEREBY ORDERED THAT:

1. A scheduling conference will be conducted by the court on **November 20, 2001**, at **10:00 a.m.** in the chambers of Courtroom No. 4, Eighth Floor, Federal Building, Third and Walnut Streets, Harrisburg, Pennsylvania. **Counsel should be prepared to address any pending motions at the conference.**

2. This conference before this judge will be canceled if the parties elect to proceed before a United States Magistrate Judge. The Magistrate Judge will reschedule the conference upon notification of the case assignment.

3. The primary purpose of this conference will be to establish case management deadlines to enable this action to go forward as effectively as possible. Participation in this conference by counsel or by pro se litigants is mandatory.

4. **Lead Counsel of record must participate in the conference without substitution unless permission for substitution is sought and granted prior to the conference. Requests shall be made at least two business days in advance of the date of the conference. The telephone number to call is (717) 221-3990.**

5. Counsel are advised to comply with Rule 16.3(a) of the Rules of Court for the Middle District of Pennsylvania. Local Rule 16.3 requires lead counsel for each

party to meet prior to the case management conference and complete a "Joint Case Management Plan" form. The completed form, which is set forth in Appendix A of the local rules, must be filed on or before **November 15, 2001**. Counsel should also be conversant with the district's "Expense and Delay Reduction Plan," adopted on August 19, 1993, as required by the Civil Justice Reform Act of 1990.

6. Counsel shall note that this district has not opted-out of Federal Rule of Civil Procedure 26. The joint case management plan contemplates discovery prior to the Rule 26(f) meeting and is, therefore, deemed to be an exception to the limitation on discovery contained in the first sentence of Rule 26(d). Counsel shall not cease active discovery pending disposition of a motion to dismiss.

7. At the case management conference the captioned action will be placed on one of the following tracks:

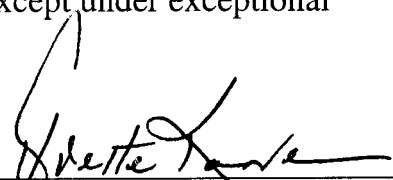
a) **Fast Track** - Referring the case to a United States Magistrate Judge for recommendations.

b) **Expedited Track** - Setting a trial date of not more than 240 days from the filing of the complaint.

c) **Standard Track** - Setting a trial date of not more than 15 months from the filing of the complaint.

d) **Complex Track** - Setting a trial date in excess of 15 months but less than 2 years from the filing of the complaint.

8. The parties are advised that once the deadlines have been established extensions of those time period will not be granted, except under exceptional circumstances.


 YVETTE KANE, Judge
 Middle District of Pennsylvania

Dated: Oct 30, 2001

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

October 30, 2001

Re: 1:01-cv-00328 J.L. v. PA Dept. of Educatio

True and correct copies of the attached were mailed by the clerk
to the following:

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cc:

Judge	(<input checked="" type="checkbox"/>)	() Pro Se Law Clerk
Magistrate Judge	()	() INS
U.S. Marshal	()	() Jury Clerk
Probation	()	
U.S. Attorney	()	
Atty. for Deft.	()	
Defendant	()	
Warden	()	
Bureau of Prisons	()	
Ct Reporter	()	
Ctroom Deputy	()	
Orig-Security	()	
Federal Public Defender	()	
Summons Issued	()	with N/C attached to complt. and served by: U.S. Marshal () Pltf's Attorney ()
Standard Order 93-5	()	
Order to Show Cause	()	with Petition attached & mailed certified mail to: US Atty Gen () PA Atty Gen () DA of County () Respondents ()
Bankruptcy Court	()	
Other _____	()	

MARY E. D'ANDREA, Clerk

DATE: _____

10-31-01

BY: _____

Deputy Clerk